

ENTERED

September 23, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,

VS.

SCOTT FUCITO,

Defendant.

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CRIMINAL NO. 4:19-MJ-1602-1

ORDER OF DETENTION PENDING TRIAL

A hearing in this matter was held on September 23, 2019. Assistant United States Attorney Kimberly Leo appeared on behalf of the United States. Attorney Edward Mallett appeared on behalf of Scott Fucito. At the hearing, Defendant acknowledged that he understands his right to a prompt detention hearing and to require the Government to meet its burden of proving that no conditions of release exist which will reasonably assure his appearance in court and the safety of the community. Defendant knowingly and voluntarily waived that right, on the record and through counsel. For good cause shown, Defendant's request to waive the detention hearing is hereby **GRANTED**. Defendant has expressly reserved the right, consistent with 18 U.S.C. § 3142(f)(2)(B) to move to reopen the issue of detention prior to trial if information that was previously unknown and has a material bearing on the issue of the existence of conditions of release that will reasonably assure the appearance of the Defendant at the time of trial, becomes known.

It is therefore **ORDERED** that:

1. Defendant will be detained pending trial;
2. Defendant be committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent

practicable, from persons awaiting or serving sentences or held in custody pending appeal;

3. Defendant be afforded a reasonable opportunity to consult privately with defense counsel; and
4. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility deliver Defendant to the United States Marshal for a court appearance or any other appearance stipulated to by defense counsel and counsel for the United States.

Signed on September 23, 2019, at Houston, Texas.

A handwritten signature in black ink, reading "Christina A. Bryan". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Christina A. Bryan
United States Magistrate Judge